

PLAINTIFF

Thurman H. Hines

COURT CASE NUMBER

19CV-215JHP SPS

DEFENDANT

Willia Burney

TYPE OF PROCESS

USM-285

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN



Willia Burney

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

AT

Hickoryville, Okla. 6400 E 133rd Rd Hickoryville, Ok 74048

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Thurman H. Hines #18274S

OSB  
P.O. Box 91

McAlester, Ok 74502

Number of process to be served with this Form - 285

Number of parties to be served in this case

Check for service on U.S.A.

NOT FOR USE BY U.S. MARSHALS IN OKLAHOMA

RECEIVED  
9 PM  
16

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Willia Burney works at the DOF-Davis Correctional Facility between the hours of 6am to 6pm.

Fold

Signature of Attorney or other Originator requesting service on behalf of:

 PLAINTIFF  
 DEFENDANT
 

TELEPHONE NUMBER

DATE

11/06/19

## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.

(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

1

District of Origin

No. 103

District to Serve

No. 103

Signature of Authorized USMS Deputy or Clerk

MS

Date

11/09/19

I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below. I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

 A person of suitable age and discretion then residing in the defendant's usual place of abode.
 

Address (complete only if different than shown above)

Date of Service	Time	am
-----------------	------	----

12/9/19	12:00	pm
---------	-------	----

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund

REMARKS:

**INSTRUCTIONS FOR COMPLETING USM-285, PROCESS RECEIPT AND RETURN**

- The Form USM-285 is a five-copy form set designed as a control document for process served by a U.S. Marshal or designee. Process may include, but is not limited to, a summons and complaint, subpoena, writ, or court order. The United States Marshals Service (USMS) is authorized by law (28 U.S.C. § 1921) to charge fees for the service of process. The amount of fees charged is established by regulation (28 C.F.R. § 0.114). Except in cases where the litigant has been granted permission by the court for waiver of prepayment of fees and costs, the USMS must request advance payment of the estimated fees and expenses for service of process.
- Please type or print legibly. Submit one copy of the Form USM-285 and one copy of each process for each individual, company, corporation, government agency, etc., to be served or property to be seized.
- In cases where the court has directed the USMS to effect service of a summons and complaint upon an officer or agent of the United States Government, submit a copy of the summons and complaint and Form USM-285 for each officer or agent upon whom service is desired. Submit two (2) additional copies of the summons and complaint for service upon the Government of the United States. The U.S. Marshal or designee will serve one copy upon the U.S. Attorney and will forward the other copy to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or designee certifies service on the U.S. Attorney and the U.S. Attorney General, regardless of whether other defendants on the summons were served). Failure to provide sufficient copies will delay service of the summons.
- Mark all applicable check boxes and use the “Special Instructions” to advise of any information that will assist the USMS in expediting service. You are responsible for providing accurate and sufficient information that will identify the individual or entity to be served or the property to be seized.
- If more than one item of process and Form USM-285 is submitted on a single case, the U.S. Marshal or designee will receipt for all of them on the first Form USM-285. You will receive for your records the “Acknowledgment of Receipt” copy for all the USM-285 forms you submit. When the process is served, you will receive the “Notice of Service” copy. This copy will be identical to the return to the Clerk of the U.S. District Court.
- Upon completion of all services, you will receive a “Billing Statement” copy of Form USM-285. You should return this “Billing Statement” copy to the USMS, together with your payment, in the form of a certified or bank check payable to the U.S. Marshal, for any amounts still owed. Alternatively, the USMS will accept cash. The USMS will not accept personal checks.
- Additional USM-285 forms may be obtained, without cost, from the Clerk of the U.S. District Court, U.S. Marshal, or printed from [http://www.usmarshals.gov/process/usm\\_285.pdf](http://www.usmarshals.gov/process/usm_285.pdf).

**UNITED STATES DISTRICT COURT**  
for the  
**Eastern District of Oklahoma**

THURMAN H. HINES

<i>Plaintiff</i> v. JOE ALLBAUGH, et al.,	)
	)
	)
	)
<i>Defendant</i>	)

Civil Action No. CIV-19-215-JHP-SPS

**SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*) Willia Burney, Law Library Supervisor  
 Davis Correctional Facility  
 6888 E. 133rd. Road  
 Holdenville, OK 74848

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Thurman Harvey Hines 182745

Oklahoma State Penitentiary  
 PO Box 97  
 McAlester, OK 74502-0097

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

*Patrick Keaney*  
 \_\_\_\_\_  
 Patrick Keaney

Date: 11/13/2019



AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. CIV-19-215-JHP-SPS

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* 11/22/19.

Willia Burney

- I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_,  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or
- I returned the summons unexecuted because no longer employed here; or
- Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 11/22/19


Server's signature

Karen Lester Warden Secretary  
Printed name and title
**FILED**

DEC 10 2019

PATRICK KEANEY  
Clerk, U.S. District CourtBy \_\_\_\_\_  
Deputy Clerk6888 E 133RD RD  
HOLDENVILLE, OK 74848

Server's address

Additional information regarding attempted service, etc: